



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: BE/67/18/PL

1 To Addressee

Cushman & Wakefield
 125 Old Broad Street
 London

EC2N 1AR

2 Site Address

Bartons County Infants School
 Romney Broadwalk

PO22 9BH

3 Description of Development

Variation of condition 3 following approval of BE/49/17/PL to allow the continued use of Bartons County Infant School & retention of temporary buildings until 31st September 2019.

In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to the following conditions

- 1 The development hereby approved shall be carried out in accordance with the following plans which were previously approved by application BE/49/17/PL:

Location Plan;
 Site Plan as Proposed (dwg 1185-B-100);
 School Plan Layout plan (dwg 170301-01 Rev 1);
 Elevation Details (dwg 170301-02 Rev 1); and
 Roof plan (dwg 170301-04).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and TSP1 of the Arun Local Plan.

- 2 The modular building hereby permitted shall be removed, the land restored to its former condition (or to a condition to be agreed in writing by the Local Planning Authority) and the development disconnected from the existing storm drainage system, on or before the expiration of the period ending on 01 October 2019
- Reason: The application has been considered on the basis of a 1 year temporary proposal. It is also important not to prejudice consideration of future proposals for the site and to ensure that the drainage system is not used in excess of the proposed period. In accordance with policies D DM1 and T SP1 of the Arun Local Plan.
- 3 Any trees or plants which, within a period of five years from the completion of the development approved by BE/49/17/PL, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species in accordance with the landscape scheme as detailed on Drawing 0032/17/B/1B "Landscape Planting Plan" (approved by BE/91/17/DOC), unless the Local Planning Authority gives written consent to any variation.
- Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.
- 4 The continuation of the use of the school site for the additional year shall be in complete accordance with the updated Travel Plan entitled "Chichester Free School - Temporary Primary Site School Travel Plan" (Ref 5613/010/002, May 2018). The shuttle bus service referred to shall also continue.
- Reason: To encourage and promote sustainable transport in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.
- 5 The mitigation measures specified within the Noise Assessment Report (Issue 1 - 04/04/17) as approved under ref BE/49/17/PL shall continue to be adhered to throughout the lifetime of this development. There shall then be no deviation from these mitigation measures without approval in writing from the Local Planning Authority.
- Reason: In the interests of the amenities of the area and of neighbouring residential properties in accordance with policies D DM1, QE SP1 and QE DM1 of the Arun Local Plan.

- 6 No new external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with policies D DM1, ENV DM5, QE SP1 and QE DM2 of the Arun Local Plan.

- 7 The windows on the southern elevation of the modular building shall at all times be affixed with obscure glazing film.

Reason: To protect the amenities and privacy of the residential dwellings to the south in accordance with policy D DM1 of the Arun Local Plan.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Date of Decision:

24 August 2018

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the